

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**PETER BARABASH
68 CASCADE DRIVE
AMHERST, NEW YORK 14228,**

1:05-CR-00186-003

Defendant,

and

**FIRST SOURCE ADVANTAGE
ATTN: PAYROLL
205 BRYANT WOODS SOUTH
AMHERST, NEW YORK 14228,**

Garnishee.

GARNISHEE ORDER

A Writ of Continuing Garnishment, directed to Garnishee, has been duly issued and served upon the Garnishee. Pursuant to the Writ of Continuing Garnishment, the Garnishee filed an Answer on August 9, 2010.

On July 29, 2010, the Defendant was notified of his right to a hearing and has not requested a hearing to object to the Answer of the Garnishee or determine exempt property.

Whereupon the Court, having considered the Application for a Writ of Continuing Garnishment against the Earnings of the Defendant, the Answer of the Garnishee, and

noting that the Defendant has not exercised his right to request a hearing, now finds that the entry of the Garnishee Order is in all respects proper.

IT IS HEREBY ORDERED that the Garnishee pay, to Plaintiff, United States of America, in care of the Clerk, United States District Court, at bi-weekly or at least monthly, the lessor of:

1. \$75.00 per pay period, or a minimum of \$150.00 per month, as opposed to the twenty-five percent (25%) initially requested to be withheld by the Garnishee, of the judgment debtor's non-exempt disposable earnings; or

2. All amounts of judgment debtor's disposable earnings in excess of thirty (30) times the federal minimum hourly wage in effect at the time the debtor's earnings are payable. See 15 U.S.C. § 1673(a).

IT IS FURTHER ORDERED that all monies previously withheld by the Garnishee in accordance with the Writ of Continuing Garnishment, shall be paid immediately to the United States.

IT IS FURTHER ORDERED that the Garnishee continue to withhold such additional non-exempt personal property belonging to PETER BARABASH, SSN: XXX-XX-4842, as should come into the Garnishee's possession or control in the future until the above-referenced judgment is either paid in full, or otherwise satisfied, or the Defendant separates from the Garnishee's employment pursuant to Title 28, United States Code, Section 3205(c)(10), and that the Garnishee pay over such property to Plaintiff.

Checks should be payable to:

CLERK, U.S. DISTRICT COURT

and mailed to:

CLERK, U.S. DISTRICT COURT

304 U.S. Courthouse

68 Court Street

Buffalo, New York 14202

This Order shall take effect after all prior Orders in garnishment have been satisfied.

SO ORDERED.

Dated: September 2, 2010
Buffalo, NY

/s/William M. Skretny
WILLIAM M. SKRETNY
Chief Judge
United States District Court